

REMARKS

Claims 1-14 are pending in the application. Claims 1-13 have been amended, and claim 14 is newly added. Reconsideration of the rejection and allowance of the pending application in view of the following remarks are respectfully requested.

As an initial matter, Applicants wish to thank the Examiner for accepting the drawings filed on December 17, 2004, for acknowledging the claim for foreign priority and receipt of the certified copy of the priority document, and for considering all of the documents cited in the Information Disclosure Statement filed on February 16, 2005.

As another matter, Applicants note that on the Office Action Summary form (Form PTOL-326), the Examiner indicated that the specification is objected to. However, in the Office Action, the Examiner did not indicate why the specification was objected to. Applicants respectfully request that the Examiner clarify this issue in the next Office communication.

In the Office Action, the Examiner objected to claims 2 and 3 due to informalities, asserting that the phrase “the following rank” lack sufficient antecedent basis. Applicants have amended claims 2 and 3, which no longer include the above-noted phrase. Thus, Applicants respectfully request that the Examiner withdraw the objection.

In the Office Action, the Examiner rejected claims 4 and 9 under 35 U.S.C. §112, 2nd paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the Examiner asserted that the phrase “i.e.” renders the claims indefinite. Applicants have amended claims 4 and 9, which no longer include the above-noted phrase. Thus, Applicants respectfully request that the Examiner withdraw the rejection.

In the Office Action, the Examiner rejected claim 1 under 35 U.S.C. §102(b) as being anticipated by McLean (U.S. Patent No. 6,486,769).

Applicants' amended claim 1 recites a method for multi-reading a plurality of IDs, by which an interrogator and multiple transponders repeat queries and responses there-between. The method includes, inter alia, specifying, by the interrogator, a first read range of IDs in a first query, and if the interrogator does not receive a response to the first query, or receives only a single response to the first query, transmitting, by the interrogator, a second query specifying a second read range of IDs which is twice the size of the first read range of IDs.

McLean discloses a method for communicating between a base station 12 and a plurality of transponders (checktag A 160 and checktag B 170). In the Office Action, the Examiner asserts that McLean's base station 12 reads on the interrogator recited in Applicants' claim 1.

Applicants respectfully submit that McLean fails to disclose or suggest that the base station 12 specifies a read range of IDs, as recited in Applicants' claim 1. Rather, Applicants submit that McLean's base station 12 merely sets a read zone 180 by changing the strength of an RF transmission signal 130. See, e.g., col. 4, lines 3-48 of McLean.

In the Office Action, the Examiner asserts that specifying a read zone is functionally equivalent to specifying a read range of IDs. However, Applicants respectfully submit that this assertion cannot support an anticipation rejection, as Applicant submit that a claim is anticipated only if each and every element set forth in the claim is found in a single prior art reference. See, e.g., section 2131 of the M.P.E.P.

Thus, Applicants respectfully submit that McLean fails to disclose a method for multi-reading a plurality of IDs which includes, inter alia, specifying, by an interrogator, a read range of IDs in a query, as recited in Applicants' claim 1.

For at least these reasons, Applicants respectfully submit that McLean fails to anticipate the invention recited in Applicants' claim 1, and thus, respectfully request that the Examiner withdraw the 35 U.S.C. §102(b) rejection.

In the Office Action, the Examiner rejected claims 2 and 3 under 35 U.S.C. §103(a) as being unpatentable over McLean.

Claim 2 depends from claim 1, and claim 3 depends from newly added independent claim 14. Claim 14 recites a method for multi-reading a plurality of IDs, by which an interrogator and multiple transponders repeat queries and responses there-between. The method includes, inter alia, specifying, by the interrogator, a first read range of IDs in a first query, and if the interrogator does not receive a response to the first query, or if the interrogator receives a response to the first query and the first read range comprises a single ID, transmitting, by the interrogator, a second query specifying a second read range of IDs which is twice the size of the first read range of IDs.

As discussed above, McLean fails to disclose a method for multi-reading a plurality of IDs which includes, inter alia, specifying, by an interrogator, a read range of IDs in a query, as recited in Applicants' claims 1 and 14. The Examiner rejects claims 2 and 3 under 35 U.S.C. §103(a), but fails to establish a prima facie case of why it would have been obvious, at the time of the invention, to modify McLean's method to specify a read range of IDs, rather than a read zone.

For at least these reasons, Applicants respectfully submit that the inventions recited in Applicants' claims 2 and 3, which depend from claims 1 and 14, respectively,

are not obvious in view of McLean, and thus, respectfully request that the Examiner withdraw the 35 U.S.C. §103(a) rejection.

In the Office Action, the Examiner rejected claims 1-13 under 35 U.S.C. §102(b) as being anticipated by Wood et al. (U.S. Patent No. 6,072,801).

Wood et al. discloses an arbitration scheme for establishing wireless communication between an interrogator 26 and wireless identification devices 12. According to the arbitration scheme, the interrogator 26 sends an identify command, and an arbitration value (AVALUE) and an arbitration mask (AMASK) to a set of devices 12. See, e.g., col. 5, line 64 – col. 6, line 28 of Wood et al.

Applicants respectfully submit that Wood's interrogator 26 does not send a second identify command specifying a second read range of IDs which is twice the size of a first read range of IDs specified in a first identify command, if the interrogator 26 does not receive a response to the first identify command, if the interrogator 26 receives a response to the first identify command and the first read range comprises a single ID, or if the interrogator receives only a single response to the first identify command.

Rather, Applicants submit that Wood et al. discloses that, when a single device 12 responds to an identify command, the AVALUE of a subsequent identify command is changed, but the AMASK value is not. Consequently, Applicants submit that the size of a range of IDs covered by the combination of the AVALUE and AMASK value is the same for both a first identify command and a subsequent identify command. See, e.g., Figure 4, col. 7, lines 6-26, and col. 8, line 26 of Wood et al.

Thus, Applicants respectfully submit that Wood et al. fails to disclose or suggest a method for multi-reading a plurality of IDs which includes specifying, by an interrogator,

a first read range of IDs in a first query, and if the interrogator does not receive a response to the first query, or receives only a single response to the first query, transmitting, by the interrogator, a second query specifying a second read range of IDs which is twice the size of the first read range of IDs, as recited in Applicants' claim 1.

Applicants further submit that Wood et al. fails to disclose or suggest a method for multi-reading a plurality of IDs which includes specifying, by an interrogator, a first read range of IDs in a first query, and if the interrogator does not receive a response to the first query, or if the interrogator receives a response to the first query and the first read range comprises a single ID, transmitting, by the interrogator, a second query specifying a second read range of IDs which is twice the size of the first read range of IDs, as recited in Applicants' claim 14.

For at least these reasons, Applicants respectfully submit that Wood et al. fails to anticipate the inventions recited in Applicants' claims 1 and 14, and thus, respectfully request that the Examiner withdraw the 35 U.S.C. §102(b) rejection and allow claims 1 and 14.

Applicants submit that claims 2-13 are in condition for allowance, at least in view of their dependency from claims 1 and 14, and further, for the combination of features recited therein.

Based on the above, it is respectfully submitted that this application is now in condition for allowance, and a Notice of Allowance is respectfully requested.

SUMMARY AND CONCLUSION


Reconsideration of the outstanding Office Action, and allowance of the present application and all of the claims therein are respectfully requested and believed to be appropriate. Applicants have made a sincere effort to place the present invention in condition for allowance and believe that they have done so.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should an extension of time be necessary to maintain the pendency of this application, including any extensions of time required to place the application in condition for allowance by an Examiner's Amendment, the Commissioner is hereby authorized to charge any additional fee to Deposit Account No. 19-0089.

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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July 25, 2007
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